

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**DAVIS T. MONTFORT,**

Plaintiff,

v.

**TEXAS OFFICE OF THE PRESIDENT OF  
THE UNITED STATES,**

Defendant.

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Civil Action No. **3:08-CV-1484-L**

**ORDER**

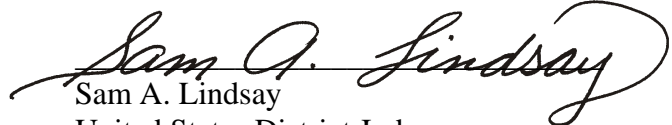
Before the court is Plaintiff's Pro Se Civil Rights Complaint ("Complaint"), filed August 22, 2008. Pursuant to Special Order 3-251, the Complaint was referred to United States Magistrate Judge Wm. F. Sanderson, Jr., on August 22, 2008. On October 10, 2008, the Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report") was filed. Plaintiff filed no objections to the Report.

On August 26, 2008, the magistrate judge notified Plaintiff that his pleadings were deficient because the complaint did not comply with Rule 8(a) of the Federal Rules of Civil Procedure and he had failed to pay the requisite filing fee or request to proceed *in forma pauperis*. The magistrate judge ordered Plaintiff to cure these deficiencies within thirty days and admonished that failure to comply would subject the action to dismissal pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. To date, Plaintiff has not cured the deficiencies. The magistrate judge now recommends that this case be dismissed without prejudice.

Having reviewed the Complaint, file, record, and Report in this case, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are

therefore **accepted** as those of the court, and the court therefore **dismisses without prejudice** the Complaint for Plaintiff's failure to comply with a court order.

**It is so ordered** this 30th day of October, 2008.

  
Sam A. Lindsay  
United States District Judge